



HAWAI'I STATE ETHICS COMMISSION

State of Hawai'i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai'i

Committee: House Committee on Judiciary & Hawaiian Affairs
Bill Number: SB 1493, SD1
Hearing Date/Time: March 22, 2:00 p.m.
Re: Testimony of the Hawai'i State Ethics Commission in **SUPPORT** of SB 1493, SD1 -- Relating to Lobbyists, with a **PROPOSED AMENDMENT**

Aloha Chair Tarnas, Vice Chair Takayama, and Committee Members:

The Hawai'i State Ethics Commission (“Commission”) supports SB 1493 SD1, which prohibits lobbyists from making or promising campaign contributions during the legislative session. This measure could be an important step towards reducing the appearance of undue influence by lobbyists. It would send a strong message that Hawai'i is committed to upholding high ethical standards and promoting fair and open government.

On a pragmatic level, there may be situations where an individual engages in lobbying activity, but fails to register as a lobbyist. To ensure candidates are not caught off-guard by an unregistered lobbyist, we respectfully suggest that this measure be amended to prevent candidates from receiving contributions from a registered lobbyist.

Proposed Amendment: On page 3, line 13 should say:

“Lobbyist” shall mean any lobbyist actively registered with a state or county ethics board or commission.

A similar amendment should *not* be made to Haw. Rev. Stat. chapter 97 (page 4, line 11). A lobbyist, regardless of whether they are registered or not, can be prohibited from making a campaign contribution during session (assuming this measure were to pass). This avoids a perverse incentive not to register.

Mahalo for your continuing support of the Commission’s work and for considering its testimony on SB 1493 SD1.

Very truly yours,

/S/ Robert D. Harris
Executive Director and General Counsel



STATE OF HAWAII
CAMPAIGN SPENDING COMMISSION

235 SOUTH BERETANIA STREET, ROOM 300
HONOLULU, HAWAII 96813

March 21, 2023

TO: The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs

The Honorable Gregg Takayama, Vice Chair
House Committee on Judiciary & Hawaiian Affairs

Members of the House Committee on Judiciary & Hawaiian Affairs

FROM: Tony Baldomero, Associate Director for *TB*
Kristin Izumi-Nitao, Executive Director
Campaign Spending Commission

SUBJECT: **Testimony on S.B. No. 1493, SD1, Relating to Lobbyists.**

Wednesday, March 22, 2023
2:00 p.m., Conference Room 325 & Videoconference

Thank you for the opportunity to testify on this bill. The Campaign Spending Commission (“Commission”) supports this measure.

Section 2 of this measure adds a new section to the campaign finance laws to prohibit a lobbyist from contributing to an elected official or making an expenditure on behalf of an elected official, during any regular or special session of the Legislature, and for five calendar days before and after a session. The Commission recommends that Section 2 be amended by adding the following sentence to the end of page 3, line 9:

“Any contribution prohibited by this subsection shall escheat to the Hawaii election campaign fund.”

Section 3 of the measure makes the same amendment to Hawaii Revised Statutes §97-5, pertaining to restricted activities of a lobbyist. The Commission believes this bill will prevent corruption and the appearance of corruption.

The Commission requests this Committee to pass this measure with the above-stated amendment and with an effective date upon approval.

SB-1493-SD-1

Submitted on: 3/20/2023 11:38:35 AM

Testimony for JHA on 3/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Lobbyists should not be driving legislators and legislation. Their influence must be regulated. This is more important with the revelations, in a recent Civil Beat article that a lobbyist, Alicia Maluafiti, obtained drugs using a veterinarian's credentials.

Please support this bill. And change the effective date to July 1, 2023.

SB-1493-SD-1

Submitted on: 3/20/2023 1:55:57 PM

Testimony for JHA on 3/22/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sean Tiwanak	Individual	Comments	Written Testimony Only

Comments:

Related to HB 1493 Pertaining to lobbyists;

Although on the surface this bill seems to attempt to address coercion and influence due to financial contributions, the fact that it does not take effect for over 50 years, on March 22, 2075 makes this measure a MOOT POINT in dealing with reform.

Transparency and limiting financial influence in lawmaking is an important issue for the average citizen. In its current state, as an ordinary citizen, HB 1493 seem laughable and ludicrous. Citizens want to see real change and believe that decisions are being made with our best interests in mind for the greatest common good.

The effective date of this measure is confusing to me. It almost seems like a token measure or a sick joke on the public. Not only would I like clarification, but if this bill is to be taken seriously, the effective date should be contemporary, or just throw this bill out. How do you know what we will need in 2075. We can barely agree on things today.

Sincerely,

Sean K Tiwanak